MSS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 1364 OF 2007

IN

SUIT NO. 608 OF 1981

SHAH BABULAL KHIMJI .. PLAINTIFF

Vs.

RAMESHCHANDRA ACHYUT AJGAONKAR .. DEFENDANT

Mr. Sanjay Jain with Ms. Preeti i/b P. K. Shroff & Co. for plaintiffs
Mr. A. V. Bajaj with Mr. R.S. Raymond i/b. M/s. Raymond & Co. for defendant

CORAM: **SMT. RANJANA DESAI, J.**

DATE: SEPTEMBER 07, 2007.

P.C.

. This Chamber Summons is taken out by the defendant. Following prayer is pressed::

"(a) That the Prothonotary & Senior Master, High Court Bombay be directed to issue to the Advocates for the Defendant the certified copies of the documents mentioned in the Schedule hereto annexed for the grounds mentioned in the Affidavit of Shri Rameshchandra Achyut Ajgaonkar in support of this Chamber Summons".

. In the affidavit-in-support of the motion it is stated that the Prothonotary and Senior Master has refused to issue certified copies of the said affidavits on the ground that the said affidavits do not bear the stamp of the office with the remark "FILED". Office of the Prothonotary and Senior Master informs the court that so far as affidavit dated 22nd July, 1981 of Rameshchandra Ajgaonkar and affidavit dated 19th August, 1981 of plaintiff Shah Babulal Khimji are concerned, they are part of the proceedings of Chamber Summons No. 523 of 1981.

. So far as affidavit at Serial No. 1 of the Schedule is concerned, I am informed that it is filed and certified copy thereof will be given to the advocate of the defendants.

. In the circumstances, the Prothonotary and Senior Master is directed to take the documents at Serial Nos. 2 and 3 of the Schedule on file. She is further directed to issue certified copies of the documents mentioned in Schedule to the advocate of the defendant.

. Chamber Summons is disposed of in the

aforestated terms.

JUDGE.